

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DAVON HOWES,

Plaintiff,

v.

CLAIRE WHITE, et al.,

Defendants.

No. 2:21-cv-00521-TLN-EFB

**ORDER**

Plaintiff Davon Howes (“Plaintiff”) is a county jail inmate proceeding *pro se* in an action brought under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 2, 2021, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 9.) Plaintiff has not filed timely objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

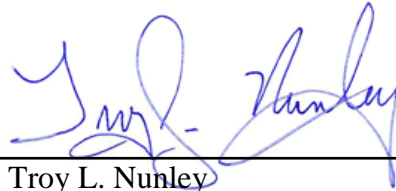
The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed June 2, 2021 (ECF No. 9), are ADOPTED IN FULL; and
2. This action is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED: July 30, 2021



Troy L. Nunley  
United States District Judge